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SUBJECT: LRA PEACE TALKS CONCLUDE, AWAIT SIGNING OF FINAL AGREEMENT

¶1. (SBU) Summary: The Government of Uganda and the Lord's Resistance Army (LRA) signed agreements on the two outstanding agenda items: the Disarmament, Demobilization, and Reintegration and the Implementing Commitments and Mechanisms. The Government of Southern Sudan mediator, Vice President Riek Machar, was disappointed that the parties could not agree on a specific date for the signing of the Final Peace Agreement beyond an understanding that the agreement must be signed on or before March 28. With that commitment, the GOU agreed to extend the Cessation of Hostilities Agreement until March 28. The LRA delegation planned to travel to The Hague to meet with the International Criminal Court (ICC). Machar may call the parties back to Juba on March 12 to extract an exact signing date. End Summary.

¶2. (U) The Government of Uganda and Lord's Resistance Army (LRA) signed the agreements on the Disarmament, Demobilization, and Reintegration and the Implementation Protocol on February 29. These were the remaining sections of the overall peace agreement. The LRA refused to sign the umbrella or chapeau document, the Final Peace Agreement, or set a date for the signing ceremony until LRA leader, Joseph Kony, had assurances from the ICC that it would honor the agreement.

KONY REMAINS PREOCCUPIED WITH ICC

¶3. (SBU) Kony's demand allegedly emanated from the LRA's trip to Rikwangba on February 28. The LRA delegation said it needed to take the final peace documents to Kony. According to the LRA's lead negotiator, David Matsanga, Kony accepted the agreement, but remained concerned about the ICC warrants. Kony wanted assurances from the ICC that it would respect a UNSC deferment of the warrants. The LRA team claimed that Kony wanted its members to spend the night in Rikwangba. The LRA delegates also insisted on traveling to The Hague before the final deal was signed.

¶4. (SBU) The GOU raised doubts that the LRA delegation saw Kony at Rikwangba because no vehicles had been sent from Juba to take the delegation from Nabanga, where the helicopter landed, to the assembly area. When Kampala P/E Chief asked about vehicles, the LRA delegation said a 12-passenger truck drove through the night from Juba to transport them. Other sources tell us that the LRA delegation met with LRA generals Santo Alit and Thomas Kwoyelo, and possibly General Abugarda. We cannot verify whether or not the LRA delegates saw Kony, but it appears unlikely. They may have spoken to Kony via satellite telephone.

TWO FINAL DOCUMENTS SIGNED

15. (U) Kony reportedly gave the LRA delegation permission to sign the remaining documents on DDR and the implementing protocol. The LRA's delegation leader, Matsanga, stated the LRA had achieved what people predicted could not be done and that he felt the agreement was well-negotiated with international support under the auspices of the Government of Southern Sudan. He thanked U.N. Special Envoy for LRA-Affected Area Joachim Chissano for advising the LRA that every negotiation involves risk and that if the LRA did not take the risk, it could not be part of the process. Matsanga boldly announced that Kony would sign the Final Peace Agreement alongside President Museveni. He challenged the United States to put up the necessary infrastructure, i.e. tents and latrines, at Rikwangba as incentives for the LRA to assemble.

16. (U) Matsanga also stated the Kony instructed him to urge the internally-displaced persons (IDPs) to return to their homes. Matsanga claimed that Kony was unhappy that Ugandans were living as prisoners in the IDP camps. Matsanga also asked that the Ugandan Government take the agreement to The Hague with assurances that the LRA would not return to armed struggle. He also said that support for the deferment would be needed at the UNSC among the permanent members. Matsanga's final point was that Uganda was not/not a failed state, like Sierra Leone or Liberia, and that the ICC must allow the Ugandan courts to work. The ICC was designed to handle cases for failed states, argued Matsanga. He also promised that Kony would come out on the radio to give his analysis of the agreement and tell Ugandans why he supported the peace process. Matsanga claimed that spoilers constantly called members of the LRA delegation with complaints that the process was moving too fast. He accused the GOU of hosting spoilers. His final statement was that the LRA would challenge the Government for power in the 2011 elections.

17. (U) In his remarks, the leader of Uganda's delegation, Ruhakana Rugunda, saluted the parties, the mediator, Chissano, and the observers. He hoped that the substantial progress made was an indication of what was to come as both parties fused into one team to ensure peace in Uganda. Rugunda expressed his desire that the conflict-affected areas could now be known as Uganda's rapidly developing areas with regained normalcy and prosperity. He assured the LRA that the GOU was committed and that there were no spoilers on the Government side. Rugunda admitted that he was sometimes embarrassed by the commitment of the observers to the process. (Note: This was a reference to the observers working with the parties with only a few hours' sleep while some delegates slept. End Note.) Rugunda said that progress had been made, but the end of the process had not completely arrived. The signing of the FPA remained outstanding. He said he was glad to hear that Kony said that he would come for the signing because northern Ugandans were waiting for a firm signal from Kony. He proposed that Kony appear on radio Mega FM to give a message directly to the IDPs. He welcomed the members of the LRA delegation to Kampala, even before the FPA was signed.

18. (U) President Chissano thanked the parties, particularly Ugandan President Museveni, for urging him to accept the task and Kony for giving him the same assurances that Museveni had about his commitment to peace. Chissano said that we had moved toward a peace that was irreversible and that with genuine reconciliation, Uganda could build a great country. He said that he would report to the U.N. Secretary General, but needed the final instrument quickly. Chissano also hoped that the successful negotiations would open a new chapter for Sudan. He had received permission from Sudanese President Omar al-Bashir to participate in the talks and urged Bashir to support the agreement. Chissano also recognized the Government of the Democratic Republic of Congo (DRC) for allowing the LRA to remain there while the dialogue proceeded.

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NO DATE FOR FINAL SIGNING CEREMONY
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19. (SBU) Machar tried in vain to obtain a date for the final signing, but Matsanga, not missing any opportunity to grandstand, orchestrated another dramatic walk-out. Matsanga claimed that he agreed with the GOU to drop language in the implementing protocol in exchange for a signing date of March 28. He claimed that the GOU reneged on the date and called the GOU delegates "liars" and

"thieves." The GOU said that it told Matsanga the signing should occur "no later than March 28." Matsanga argued the LRA delegation had to travel to The Hague and that Kony needed a week to prepare for Easter. For the GOU, this meant that the Cessation of Hostilities Agreement would have to be extended, which it had publicly said it would not do. In the end, the parties signed an extension of the CHA to March 28. Machar said he would call the parties back to Juba on March 12 to finalize the date for signature.

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COMMENT
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¶10. (SBU) This round of negotiations, which began on January 30, marked the end of the Juba phase of the peace process. After the formal signing ceremony, the implementation of the agreement moves to Uganda. The 30-day transition period (renewable once for another 30 days) begins with the signing ceremony. During that time, the LRA must fully assemble and the GOU must set up the Special High Court. Machar dismissed some of the reports of recent suspected LRA activity in southern Sudan. Machar also remains concerned, as are we, about Matsanga's erratic behavior and Kony's uncertain commitment to the peace deal.

FERNANDEZ